

DIRECTOR OF CENTRAL INTELLIGENCE

Security Committee

SECOM-D-092

File 3.1

17 April 1981

MEMORANDUM FOR THE RECORD

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FROM:

Security Committee Staff

SUBJECT: Conversation with Richard Willard
on Leak Problem

1. On 16 April 1981, in my capacity as a member of the staff of the U.S. Foreign Intelligence Surveillance Court, I paid a courtesy call on Mr. Richard Willard, Counsel for Intelligence Policy, Department of Justice, at his invitation. When he learned that I was also a member of the SECOM staff, he initiated a conversation on the unauthorized disclosure ("leak") problem. Mr. Willard said he was interested in trying to improve relations between Justice and the rest of the Community on this matter. We had a thorough and open discussion and touched on statutory measures for relief, the value and use of the "nine" or "eleven" questions, screening procedures to select those leaks both needing investigation and likely susceptible of resolution by such means, and measures which should be taken against identified culprits.

2. Mr. Willard:

a. Said he thought the Justice standard questions were a useful means of causing those concerned about leaks to focus on the specifics so as to ensure that a leak was just that, and not a rehash of old data or a clever analysis of overt data. However, he seemed receptive to exploring alternative means of screening leaks to ensure that investigations were sought only in meaningful cases.

b. Advised that he would be as supportive as possible of well-crafted Community proposals for statutory relief. He noted his support of the agent identities bill, but added that the problems it had encountered in the Congress suggested that our prospects on the Hill would be proportional to how well we judged and allowed for political realities.

c. Stated an interest in pursuing administrative sanctions against identified leakers, but indicated a concern that the FBI might not have a proper basis for conducting investigations unless the stated purpose was to support prosecution. He advised that he believed those who provided originals or copies of classified documents to any unauthorized persons should be criminally prosecuted.

d. Said he had been tasked to review the Justice position on the CIA request for civil action to recover classified documents in the possession of columnist Jack Anderson.

e. Expressed the desire that requests for FBI investigation focus on those cases in which there is a reasonable prospect of success, and made it clear that he didn't consider such category would include cases in which thousands of people had had access.

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